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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/656,511	09/07/2000	Fred S. Cook	1412	2314
28004	7590	02/10/2004	EXAMINER	
SPRINT 6391 SPRINT PARKWAY KSOPHT0101-Z2100 OVERLAND PARK, KS 66251-2100			HAYES, JOHN W	
			ART UNIT	PAPER NUMBER
			3621	

DATE MAILED: 02/10/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

09/656,511

Applicant(s)

COOK, FRED S.

Examiner

John W Hayes

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Status of Claims

1. Applicant has amended claims 1-3, 5, 7, 9-19, 23 and 27 in the amendment filed 05 December 2003. Thus, claims 1-27 remain pending and are again presented for examination.

Response to Arguments

2. With respect to the previous 35 U.S.C. § 101 rejection of claims 19-27, applicant's arguments are persuasive and, therefore, the rejection has been withdrawn.
3. With respect to the 35 U.S.C § 102 rejection of claims 10-18, applicant argues that it is well settled that an apparatus claim may include functional limitations and are often used in association with an element to define a particular capability or purpose that is served by the element. Applicant also indicates that functional limitations are proper as long as the limitations comply with 35 U.S.C. § 112. Examiner agrees that an apparatus claim may include functional limitations as long as they comply with 35 U.S.C. § 112, however, examiner submits, as stated before, that the functional limitations in claims 10-18 are directed to a manner in which the apparatus is intended to be employed and do not differentiate the claimed apparatus from the prior art apparatus if the prior art apparatus teaches all the structural limitations of the claim. Thus, examiner submits that the question is not whether the functional limitations can be included in an apparatus claim, or whether they comply with the requirements of 35 U.S.C § 112, but rather if the functional limitations can be used to distinguish from the prior art.
4. Applicant argues that Cooper doesn't teach setting up an intranet configuration or using intranet access cards to connect users to particular services over the intranet configuration. Examiner submits, however, that Cooper was not relied upon to teach setting up an intranet configuration, but rather De Fabrega teaches this feature. Examiner respectfully disagrees that Cooper fails to teach using intranet access cards to connect users to particular services over the intranet configuration and submits that Cooper does show that an access card is used to connect users to services such as email, fax, voice mail, video mail, pager and unified mailbox messages (0287; 0294; 0296; 0298; 0299; 0312).

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5. Applicant further argues that De Fabrega does not teach using intranet access cards to connect users to particular services over an intranet configuration. Examiner submits, however, that Cooper was relied upon to teach connecting users to particular services, not De Fabrega. De Fabrega was only relied upon to show the creation of an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created. Applicant appears to be taking the references out of the context in which they were relied upon, attacking the references individually and ignoring the fact that the references were combined to show the claimed invention. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 10-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Cooper et al, U.S. Patent Application Publication No. US 2002/0029350 A1.

As per **Claims 10-18**, Cooper et al disclose an intranet platform system comprising a processing system and an interface system coupled to the processing system (Figures 1-2; 0285; 0287; 0294).

Claims directed to an apparatus must be distinguished from the prior art in terms of structure rather than function, *In re Danly*, 263 F.2d 844, 847, 120 USPQ 528, 531 (CCPA 1959). A claim containing a "recitation with respect to the manner in which a claimed apparatus is intended to be employed does not

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differentiate the claimed apparatus from a prior art apparatus" if the prior art apparatus teaches all the structural limitations of the claim. *Ex parte Masham*, 2 USPQ2d 1647 (Bd Pat. App. & Inter. 1987). Thus, the structural limitations of claims 10-18, including an intranet platform system comprising the structural elements of a processing system and an interface system coupled to the processing system are disclosed in Cooper et al as described above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cooper et al, U.S.

Patent Application Publication No. US 2002/0029350 A1 in view of de Fabrega, U.S. Patent Application Publication No. US 2001/0054019 A1.

As per **Claims 1-2**, Cooper et al disclose method for providing access to an intranet, the method comprising:

- providing intranet access cards to users, wherein the intranet access cards include intranet access information (0287);
- receiving a first request message for access to the intranet from a first user who receives a first intranet access card (0294; 0296);
- processing the first request message to determine if an intranet configuration exists (0294; 0296);
- in response to determining the intranet configuration exists, processing the first request message to connect the first user to the intranet configuration to provide intranet services associated with

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the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration (0294; 0298; 0299; 0312);

Cooper et al, however, does not disclose creating an intranet configuration in response to determining the intranet configuration does not exist and connecting the user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration and connecting the users to this newly established configuration and provide particular services to the user based on configuration data stored on the card as taught by Cooper. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claim 3**, Cooper et al further disclose:

- in response to determining the intranet configuration exists, processing the first request message to determine if the first card configuration exists (0294; 0296);
- in response to determining the first card configuration exists, processing the first request message to connect the first user to the intranet configuration (0294; 0298; 0299; 0312);

Cooper et al, however, does not disclose creating a first card configuration in response to determining the first card configuration does not exist and connecting the first user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023;

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0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration and connecting the users to this newly established configuration and provide particular services to the user based on configuration data stored on the card as taught by Cooper. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per Claim 4, Cooper et al further disclose (see 0287; 0294; 0297; 0298; 0312):

- generating a first query message that includes a request for first intranet access information provided with the first intranet access card;
- transmitting the first query message;
- receiving a first response message that includes the first intranet access information; and
- processing the first intranet access information to determine if the intranet configuration exists.

As per Claim 5, Cooper et al further disclose (see 0287; 0292; 0293; 0296; 0297; 0298; 0299; 0312):

- processing the first intranet access information to validate the first intranet access card;
- in response to validating the first intranet access card, processing the first intranet access information to execute an intranet configuration script to create intranet connections for intranet services wherein the intranet services provided depend on the intranet connections created by the intranet configuration script; and
- activating the intranet configuration.

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As per **Claim 6**, Cooper et al further disclose:

- in response to validating the first intranet access card, executing an intranet card configuration script to configure a requesting communication device for access to the intranet configuration using the first intranet card (0287; 0294; 0298; 0299; 0312); and
- storing the first card configuration (0294).

Claims 7-9 are rejected under the same rationale as discussed above with respect to claims 1 and 4-6. Furthermore, it would have been obvious to one having ordinary skill in the art, in view of the teachings of Cooper et al, that multiple user cards and multiple user intranet configurations would exist since Cooper et al disclose that each user is provided with a User Access Card (UAC) that contains the actual network configuration address and parameters for the users access. Thus, the system as taught by Cooper et al would provide access to any number of users with different configurations.

As per **Claims 10-11 and 19-20**, Cooper et al disclose an intranet platform system comprising:
a processing system (Figures 1-2) configured to process a first request message from a user having a first intranet access card to determine if an intranet configuration exists (0294; 0296), in response to determining the intranet configuration exists, processing the first request message to connect a first user to the intranet configuration to provide intranet services associated with the first intranet access card to the first user, wherein the intranet services provided depend on the intranet configuration (0294; 0298; 0299; 0312),

an interface system (Figures 1-2) coupled to the processing system and configured to receive the first request message for the processing system from the first user who receives a first intranet access card (0294; 0296);

a storage medium operational to store processing system instructions and interface system instructions (Figures 1-2

Cooper et al, however, does not disclose creating an intranet configuration in response to determining the intranet configuration does not exist and connecting the user to the intranet configuration

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since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration and connecting the users to this newly established configuration and provide particular services to the user based on configuration data stored on the card as taught by Cooper. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claims 12 and 21**, Cooper et al further disclose wherein the processing system is configured to :

- in response to determining the intranet configuration exists, processing the first request message to determine if the first card configuration exists (0294; 0296);

- in response to determining the first card configuration exists, processing the first request message to connect the first user to the intranet configuration (0294; 0298; 0299; 0312);

Cooper et al, however, does not disclose creating a first card configuration in response to determining the first card configuration does not exist and connecting the first user to the intranet configuration since Cooper et al assumes that the authenticated user already has been previously configured for access. De Fabrega discloses a public access kiosk providing the capability to access an intranet and teaches accessing an existing intranet customer configuration using a prepaid card (0023; 0032; 0054; 0056; 0057; 0063). De Fabrega also disclose the ability to create an intranet configuration if one does not yet exist for the customer and connecting the customer to the configuration after it is created (0023; 0032; 0053; 0054). Accordingly, it would have been obvious to one of ordinary skill in the art at the time of

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applicant's invention to modify the method of Cooper et al and adopt the teachings of de Fabrega by incorporating the ability to create a intranet configuration for users that have not yet established an intranet configuration and connecting the users to this newly established configuration. One would have been motivated to include this feature so that new users would have a means of establishing an account or configuration in order to use the services offered by the intranet.

As per **Claims 13 and 22**, Cooper et al further disclose wherein the processing system is configured to (see 0287; 0294; 0297; 0298; 0312):

- generating a first query message that includes a request for first intranet access information provided with the first intranet access card; and
- processing the first intranet access information to determine if the intranet configuration

exists; and wherein the interface system is configured to:

- transmitting the first query message;
- receiving a first response message for the processing system

As per **Claims 14 and 23**, Cooper et al further disclose wherein the processing system is configured to (see 0287; 0292; 0293; 0296; 0297; 0298; 0299; 0312):

- processing the first intranet access information to validate the first intranet access card;
- in response to validating the first intranet access card, processing the first intranet access

information to execute an intranet configuration script to create intranet connections for intranet services wherein the intranet services provided depend on the intranet connections created by the intranet configuration script; and

- activating the intranet configuration.

As per **Claims 15 and 24**, Cooper et al further disclose wherein the processing system is configured:

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- in response to validating the first intranet access card, executing an intranet card configuration script to configure a requesting communication device for access to the intranet configuration using the first intranet card (0287; 0294; 0298; 0299; 0312); and
- storing the first card configuration (0294).

Claims 16-18 are rejected under the same rationale as discussed above with respect to claims 10 and 13-15. Furthermore, it would have been obvious to one having ordinary skill in the art, in view of the teachings of Cooper et al, that multiple user cards and multiple user intranet configurations would exist since Cooper et al disclose that each user is provided with a User Access Card (UAC) that contains the actual network configuration address and parameters for the users access. Thus, the system as taught by Cooper et al would provide access to any number of users with different configurations.

Claims 25-27 are rejected under the same rationale as discussed above with respect to claims 19 and 22-24. Furthermore, it would have been obvious to one having ordinary skill in the art, in view of the teachings of Cooper et al, that multiple user cards and multiple user intranet configurations would exist since Cooper et al disclose that each user is provided with a User Access Card (UAC) that contains the actual network configuration address and parameters for the users access. Thus, the system as taught by Cooper et al would provide access to any number of users with different configurations.

Conclusion

10 THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

11. **Examiner's Note:** Examiner has cited particular paragraphs in the references as applied to the claims below for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention.

12. The prior art previously made of record and not relied upon is considered pertinent to applicant's disclosure.

- Moore et al disclose a system and method for providing prepaid services via an internet protocol and teach wherein a company has an intranet web site and provides prepaid services to its employees by accessing the intranet web site
- Barrier et al disclose an extranet architecture and further teach wherein subscribers may be provided with access to a private network and each subscriber's configuration is determined by what applications the user or user's organization has subscribed to and wherein each subscriber may have its own intranet architecture coupling its various organizations which can be located at various geographic sites
- Vilhuber discloses a system for providing clients access to a network connections and assigns limited access privileges to the clients based upon user access information and further discloses connecting the user to the connection based upon user access information supplied from a token card
- Nordman discloses a secure access method for accessing a private IP network with a wireless host
- Vadlamani discloses prepaid fixed quantity access to web services
- Curtis discloses multi-media remote data access terminals for connecting a user to a corporate network for access to corporate e-mail, voice mail, schedules, etc.

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- Tatham et al disclose a network based groupware system wherein a primary user configures an intranet workspace for various group member access.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Hayes whose telephone number is (703)306-5447. The examiner can normally be reached Monday through Friday from 5:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

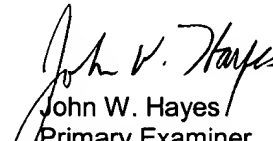
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or faxed to:

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(703) 746-5531 [Informal/Draft communications, labeled
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Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington,
VA, 7th floor receptionist.


John W. Hayes
Primary Examiner
Art Unit 3621

February 9, 2004